TRANSCRIPT OF RECORD

Supreme Court of the United States

OCTOBER TERM, 1934

No. 15

CHARLES L. McNALLY, PETITIONER,

vs.

HENRY C. HILL, WARDEN UNITED STATES NORTHEASTERN PENITENTIARY, LEWISBURG, PA.

ON WRIT OF CERTIORARI TO THE UNITED STATES CIRCUIT COURT OF APPEALS FOR THE THIRD CIRCUIT

PETITION FOR CERTIORARI FILED MARCH 31, 1934

CERTIORARI GRANTED MAY 7, 1934

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IN THE

District Court of the United States,

MIDDLE DISTRICT OF PENNSYLVANIA.

No. 8. HABEAS CORPUS.

THE UNITED STATES *v.* CHARLES L. McNALLY *v.* HENRY C. HILL, Warden, U. S. Northeastern Penitentiary, Lewisburg, Pennsylvania.	Attorneys: For United States: For Defense: Nathan Fink, Esq., Scranton, Pa.

DOCKET ENTRIES.

Apr. 6, 1933.	Petition for writ of Habeas Corpus and Order to show cause returnable April 18, 1933, at Scranton, Pennsylvania.
Apr. 12, 1933.	Marshal's return of service of certified copy of petition and rule executed.
May 16, 1933.	Order dismissing petition and discharging rule.
Aug. 11, 1933.	Assignment of errors.
Aug. 25, 1933.	Notice of Appeal to the United States Circuit Court of Appeals for the Third Circuit and Petition for allowance of Appeal, and Order allowing the appeal. (J)
Aug. 25, 1933.	Citation issued to Henry C. Hill, Esq. and handed Mr. Fink.

Aug. 25, 1933. Bond covering Costs on Appeal, AMERICAN SURETY COMPANY OF NEW YORK, Amount of Bond $250.00.

Aug. 25, 1933. Præcipe for record on appeal for preparation of transcript of record.

Aug. 25, 1933. Citation returned "Now Aug. 25, 1933, service admitted and copy received of the within citation, H. L. Hill".

Aug. 25, 1933. Complete files sent to S. W. Hofford, Clerk of Court at Scranton, Pa.

Aug. 28, 1933. Affidavit of service of notice of appeal. Order directing all original files to be mailed Clerk, U. S. Circuit Court of Appeals. All original files mailed Wm. P. Rowland, Clerk, U. S. Circuit Court of Appeals.

PETITION FOR WRIT OF HABEAS CORPUS.

IN THE DISTRICT COURT OF THE UNITED STATES,
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA.

No. 8. HABEAS CORPUS.

Charles L. McNally

v.

Henry C. Hill, Warden, United States Penitentiary, Lewisburg, Pennsylvania.

To the Honorable the Judges of the said Court:

Your petitioner, CHARLES L. MCNALLY, by his attorney, Nathan Fink, Esq., respectfully represents:

1. That at the June term of the District Court of the United States within and for the Eastern District of New York, in the year 1931, the following true bills of indictment were brought against your petitioner and others by a Grand Jury of the United States of America:

A. Indictment No. 28944, containing three counts, charging your petitioner and other defendants therein named with violation of an Act of Congress, Title 18, U. S. C. A. Sections 88 and 408, as follows:

(a) Count One of said indictment charging your petitioner and other defendants therein named with having conspired to unlawfully, knowingly, feloniously, and wilfully, transport or cause to be transported in